

RESOLUTION 11-__

AUTHORIZING THE ACQUISITION OF PUBLIC RIGHTS-OF-WAY FOR SALCIDO RANCH ROAD AND CLARAS WAY AND AUTHORIZING AMENDMENTS TO THE COCHISE COUNTY MAINTAINED ROAD SYSTEM MAPS FOR CLARAS WAY IN THE MESCAL AREA

WHEREAS, the Board of Supervisors of Cochise County, Arizona, is authorized to enter into agreements to acquire public rights-of-way, pursuant to A.R.S. § 11-251(29), and is authorized to lay out, maintain, control and manage public roads under its jurisdiction pursuant to A.R.S. § 11-251(4); and

WHEREAS, pursuant to A.R.S. § 28-7041.C, Cochise County maintains a historical alignment of Salcido Ranch Road, Maintenance Identification (MID) Number 260, and pursuant to A.R.S. § 28-6705.B, Cochise County maintains a historical alignment of Claras Way, MID Number 853; and

WHEREAS, Salcido Ranch Road and Claras Way have been maintained by the County for many years without recorded public rights-of-way across State Trust Lands; and

WHEREAS, the Cumaro Valley Road Improvement Association (CVRIA) desires to partner with Cochise County to acquire perpetual public rights-of-way across State Trust Lands, as identified on Exhibit A and Exhibit B, whereby Cochise County submits the application to the Arizona State Trust Land Department utilizing CVRIA funds; and

WHEREAS, on November 13, 1989, the Board approved the official Cochise County Maintained Road System Maps by Resolution 89-107, which identified the County maintained alignment of Claras Way, formerly known as Salcido Ranch Road, on page 4; and

WHEREAS, the alignment for Claras Way is incorrectly depicted approximately 0.8 miles south of the currently maintained alignment; and

WHEREAS, it having been determined that it is in the best interest of Cochise County and the public to pursue said agreement to acquire said rights-of-way and correct the Cochise County Maintained Road System Maps alignment for Claras Way,

NOW, THEREFORE, IT IS RESOLVED that we, the Cochise County Board of Supervisors, having determined that the acquisition of said rights-of-way to be in the public interest, do hereby authorize such actions as may be necessary to acquire the rights-of-way.

RESOLUTION 11-

Re: Authorizing the Acquisition for Public Rights-of-Way for Salcido Ranch Road and Claras Way and Authorizing to the Cochise County Maintained Road System Maps for Claras Way in the Mescal Area

Page 2 of 2

IT IS FURTHER RESOLVED that the Chairman of the Board is authorized to sign a letter of understanding to CVRIA, outlining Cochise County's participation in said acquisition, attached hereto as Exhibit C.

IT IS FURTHER RESOLVED that the Director of the Highway and Floodplain Department, or his designee, is authorized to act on behalf of the County to acquire the rights-of-way, and settle any resulting damages through purchase of State Land at the appraised value per the conditions set forth in said letter of understanding.

IT IS FINALLY RESOLVED that the following modification to the Cochise County Maintained Road System Maps be hereby approved:

MAP PAGE 4

Claras Way, MID #853

1. Delete that segment identified as Claras Way, from the County line east to Salcido Ranch Road, within Section 31 of Township 16 South, Range 19 East.
2. Identify Claras Way in its current alignment, from the County line east to Salcido Ranch Road, within Section 30 of Township 16 South, Range 19 East.


PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this _____ day of _____, 2011.

Patrick Call, Chairman
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Katie A. Howard,
Clerk of the Board



Britt Hanson,
Chief Civil Deputy County Attorney

Exhibit "A"

An easement for ingress and egress purposes, 30 feet in width,
over and upon all that certain real property situate in the County of Cochise,
State of Arizona, located in Section 31, Township 16 South, Range 19 East,
Gila and Salt River Meridian;

THE CENTERLINE THEREOF BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point on the east line of the southeast quarter of said Section 31, from which said point, the east quarter corner thereof, marked by a ¾-inch open pipe, bears northerly, N 00° 00' 39" E, 61.56 feet distant; the sidelines of the easement, Exhibit "A", herein described, are to be lengthened or shortened to coincide with said east line;

Thence from said POINT OF BEGINNING, westerly along the arc of a non-tangent curve to the left, from which the radius point thereof bears S 56° 03' 25" W, 200.00 feet distant, through a delta of 102° 18' 25", 357.12 feet to a point of tangency;

Thence leaving said curve, southwesterly, S 43° 45' 00" W, 101.65 feet to an angle point;

Thence leaving said angle point, southwesterly, S 37° 50' 04" W, 979.68 feet to an angle point;

Thence leaving said angle point, southwesterly, S 43° 58' 33" W, 284.26 feet to an angle point;

Thence leaving said angle point, southwesterly, S 39° 10' 30" W, 265.02 feet to an angle point;

Thence leaving said angle point, southwesterly, S 46° 20' 54" W, 408.25 feet to an angle point;

Thence leaving said angle point, southwesterly, S 53° 25' 27" W, 112.52 feet to an angle point;

Thence leaving said angle point, southwesterly, S 67° 04' 47" W, 113.48 feet to an angle point;

Thence leaving said angle point, southwesterly, S 73° 40' 00" W, 127.28 feet to an angle point;

Thence leaving said angle point, southwesterly, S 65° 10' 40" W, 395.81 feet to an angle point;

Thence leaving said angle point, southwesterly, S 76° 47' 42" W, 171.76 feet to an angle point;

Thence leaving said angle point, southwesterly, S 86° 58' 11" W, 141.50 feet to a point of curve;

Thence from said point of curve, westerly along the arc of a tangent curve to the right, having a radius of 125.00 feet, through a delta of 67° 49' 31", 147.97 feet to a point of tangency;

Thence leaving said point of tangency, northwesterly, N 25° 12' 18" W, 432.51 feet to an angle point;

Thence leaving said angle point, northwesterly, N 20° 52' 40" W, 480.28 feet to an angle point;

Thence leaving said angle point, northwesterly, N 16° 23' 58" W, 632.46 feet to an angle point;

Thence leaving said angle point, northwesterly, N 21° 36' 19" W, 333.21 feet to an angle point;

Thence leaving said angle point, northwesterly, N 15° 05' 22" W, 117.90 feet to an angle point;

Thence leaving said angle point, northwesterly, N 23° 32' 42" W, 76.61 feet to an angle point;



Exhibit "A"

CONTINUED

Thence leaving said angle point, northwesterly, N 30° 46' 07" W, 100.96 feet to an angle point;

Thence leaving said angle point, northwesterly, N 23° 03' 38" W, 146.58 feet to an angle point;

Thence leaving said angle point, northwesterly, N 07° 41' 22" W, 259.54 feet to an angle point;

Thence leaving said angle point, northwesterly, N 19° 34' 47" W, 146.35 feet to an angle point;

Thence leaving said angle point, northwesterly, N 35° 58' 47" W, 326.66 feet to an angle point;

Thence leaving said angle point, northwesterly, N 30° 16' 57" W, 141.39 feet to an angle point;

Thence leaving said angle point, northwesterly, N 17° 00' 25" W, 137.47 feet to an angle point;

Thence leaving said angle point, northwesterly, N 13° 36' 01" W, 374.17 feet to an angle point;

Thence leaving said angle point, northwesterly, N 10° 21' 19" W, 352.00 feet to an angle point;

Thence leaving said angle point, northwesterly, N 15° 09' 21" W, 421.73 feet to an angle point;

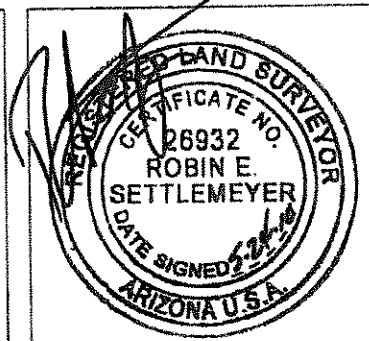
Thence leaving said angle point, northwesterly, N 09° 15' 24" W, 321.39 feet to the POINT OF TERMINUS of the easement, Exhibit "A", herein described, on the north line of the northwest quarter of said Section 31, from which said point; the northwest corner thereof, marked by a Government Land Office stone, bears westerly, N 89° 54' 26" W, 917.00 feet distant; the sidelines of said easement are to be lengthened or shortened to coincide with said north line;

Containing **5.79 ACRES** of land (more or less)

Subject to and together with all matters of public record

Basis of Bearings:

True north by GPS observation, from which a bearing, S 89° 54' 26" E, was obtained for the north line of Section 31, Township 16 South, Range 19 East, Gila and Salt River Meridian, as measured from the GLO Stone marking the northwest corner and the GLO stone marking the northeast corner thereof.



Expires: 3-31-2011

Page: 2 of 2
Date: May 24, 2010
Project: 4376 RU-1

Settlemeier LLC
LAND SURVEYING SERVICES

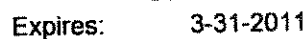
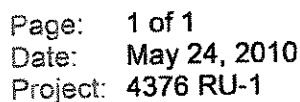
P.O. Box 12612 - Tucson, AZ 85732

Phone (520) 512-0666

Fax (520) 512-1666

surveys@settlemeier.tuccoxmail.com

An easement for ingress and egress purposes, 30 feet in width, over and upon all that certain real property situate in the County of Cochise, State of Arizona, located in Section 31, Township 16 South, Range 19 East, Gila & Salt River Meridian;



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Exhibit "B"

An easement for ingress and egress purposes, 30 feet in width, over and upon all that certain real property situate in the County of Cochise, State of Arizona, located in Section 30, Township 16 South, Range 19 East, Gila and Salt River Meridian;

THE CENTERLINE THEREOF BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point on the south line of the southwest quarter of said Section 30, from which said point, the southwest corner thereof, marked by a Government Land Office stone, bears westerly, N 89° 54' 26" W, 917.00 feet distant; the sidelines of the easement, Exhibit "B", herein described, are to be lengthened or shortened to coincide with said south line;

Thence from said POINT OF BEGINNING, northwesterly, N 07° 36' 52" W, 1151.82 feet to an angle point;

Thence leaving said angle point, northwesterly, N 12° 46' 48" W, 109.56 feet to an angle point;

Thence leaving said angle point, northwesterly, N 18° 40' 10" W, 160.36 feet to an angle point;

Thence leaving said angle point, northwesterly, N 20° 28' 55" W, 366.92 feet to an angle point;

Thence leaving said angle point, northwesterly, N 16° 52' 43" W, 423.43 feet to an angle point;

Thence leaving said angle point, northwesterly, N 12° 25' 39" W, 128.61 feet to an angle point;

Thence leaving said angle point, northwesterly, N 08° 54' 17" W, 201.45 feet to an angle point;

Thence leaving said angle point, northwesterly, N 16° 21' 55" W, 146.37 feet to a point of curve;

Thence from said point of curve, westerly along the arc of a tangent curve to the left, having a radius of 75.00 feet, through a delta of 81° 03' 39", 106.11 feet to a point of tangency;

Thence leaving said point of tangency, southwesterly, S 82° 38' 42" W, 125.74 feet to an angle point;

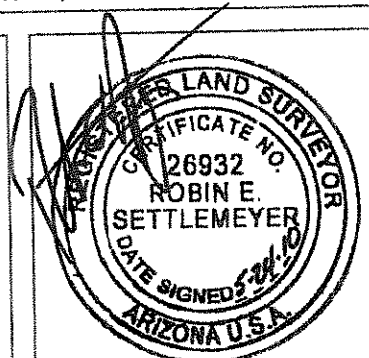
Thence leaving said angle point, southwesterly, S 87° 11' 09" W, 132.59 feet to the west quarter corner of said Section 30, marked by a No.4 rebar with registration tag RLS 10046, said point being the TERMINUS of the easement, Exhibit "B", herein described, the sidelines of said easement are to be lengthened or shortened to coincide with the west line of said Section 30;

Containing **2.106 ACRES** of land (more or less)

Subject to and together with all matters of public record

Basis of Bearings:

True north by GPS observation, from which a bearing, S 89° 54' 26" E, was obtained for the north line of Section 31, Township 16 South, Range 19 East, Gila and Salt River Meridian, as measured from the GLO Stone marking the northwest corner and the GLO stone marking the northeast corner thereof.



Expires: 3-31-2011

Page: 1 of 1
Date: May 24, 2010
Project: 4376 RU-1

Settlemeyer LLC
LAND SURVEYING SERVICES

P.O. Box 12612 - Tucson, AZ 85732

Phone (520) 512-0666

Fax (520) 512-1666

surveys@settlemeyer.tuccoxmail.com

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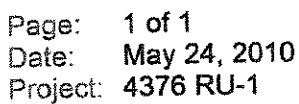


EXHIBIT C

October 11, 2011

Cumaro Valley Road Improvement Association
P.O. Box 1878
Benson, AZ 85602

Cumaro Valley Road Improvement Association:

You have asked Cochise County to apply to the Arizona State Land Department (the "Department") to acquire rights-of-way for the portion of Salcido Ranch Road and Claras Way identified on the surveyed legal descriptions enclosed with this letter. You will supply to the County the purchase price for said right-of-way. You will also supply to the County the archaeological report and all other information required by the Department to process the application. It is further agreed that if for any reason the Department denies the application, the County will refund the amounts you tendered for the purchase price. Further, you will be responsible for supplying any additional information requested by the Department and any additional money in the event the actual purchase price is higher than has been estimated.

On these understandings, the County agrees to apply to the Department for the rights-of-way, and will do so upon receipt by the County of the funds necessary to cover the estimated purchase price. Right-of-way Agent II Terry Couchenour will continue to assist you in this matter.

Respectfully,

Patrick Call, Chairman
Board of Supervisors